

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 728 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BHADRESHBHAI M MANVAWALA

Versus

ADDITIONAL POLICE COMMISSIONER

Appearance:

MR BC DAVE for Petitioner

Mr H L Jani, APP for the State

CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 09/10/98

ORAL JUDGEMENT

By way of this Special Criminal Application, the petitioner has challenged the order dated 19.6.1998 passed by the Additional Police Commissioner, South Zone, Surat City whereby he has been externed from the Surat City and the contiguous districts of Surat (Rural), Bharuch, Navsari and Valsad. The petitioner preferred appeal against the said order which has been rejected by

the State Government.

2. The learned Advocate for the petitioner states that the petitioner is a student of F.Y.B.Com and thus it is necessary for him to attend the college. He further submits that the examinations are to commence from 2.11.1998. He is also said to be 20 years of age. Considering all facts and circumstances of the case, in my view, ends of justice would meet if the order of externment for two years is substituted by asking the petitioner to furnish a personal bond for maintaining peace in the above mentioned areas.

3. In view of the aforesaid, this Special Criminal Application is partly allowed and the impugned order of externment dated 19.6.1998 is modified to the extent that instead of externment of two years from the area of Surat City and the contiguous districts of Surat (Rural), Bharuch, Navsari and Valsad, the petitioner will furnish a personal bond in the sum of Rs.10,000/- and a surety in bond in the like amount for maintaining peace in the above areas for a period of two years.

Rule is partly made absolute to the aforesaid extent.

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msp.